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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 KYLE LYDELL CANTY,

9 Plaintiff,

10 v.

11 CITY OF SEATTLE, *et al.*,

12 Defendants.

Case No. C16-1655-RAJ-JPD

ORDER DIRECTING RESPONSE TO
MOTION FOR INJUNCTIVE RELIEF

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14 This is a civil rights action proceeding under 42 U.S.C. § 1983. This matter comes before
15 the Court at the present time on plaintiff's motion for a temporary restraining order. (Dkt. 49.)
16 Plaintiff requests in his motion that he be granted a temporary restraining order against all
17 defendants named in his amended complaint, and all City of Seattle police officers, to preclude
18 those individuals and entities from engaging in the type of misconduct alleged in plaintiff's
19 amended complaint for a period of five years from the date on which his motion was filed. The
20 City of Seattle defendants have filed a notice of their intent to oppose plaintiff's motion. (Dkt.
21 51.) The Court, having reviewed plaintiff's motion, and the balance of the record, finds and
22 ORDERS as follows:
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1 (1) Plaintiff has not demonstrated, as is required by Rule 65(b) of the Federal Rules
2 of Civil Procedure, that he will suffer immediate and irreparable injury, loss, or damage before
3 defendants can be heard in opposition. The Court therefore construes plaintiff's motion as one
4 for preliminary injunction rather than as one for temporary restraining order and directs
5 defendants to file a response to the motion no later than *July 31, 2017*.

6 (2) Plaintiff may file a reply brief in support of his motion not later than *August 4,*
7 *2017*.

8 (3) Plaintiff's motion for preliminary injunctive relief (Dkt. 49) is NOTED on the
9 Court's calendar for consideration on *August 4, 2017*.

10 (4) The Clerk is directed to send copies of this Order to plaintiff, to counsel for the
11 City of Seattle defendants, to the King County Prosecutor's Office, and to the Honorable Richard
12 A. Jones.

13 DATED this 12th day of July, 2017.

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15 JAMES P. DONOHUE
16 Chief United States Magistrate Judge